



1647

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PTO/SB/21 (08-00)

Approval for use through 10/31/2002. OMB 0651-0031

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<b>TRANSMITTAL FORM</b>  (to be used for all correspondence after initial filing)	<b>Application Number</b>	09/771,961	
	<b>Filing Date</b>	Jan 29, 2001	
	<b>First Named Inventor</b>	Turner, Jr	
	<b>Group Art Unit</b>	1647	
	<b>Examiner Name</b>	F. M. Hamud	
<b>Total Number of Pages in This Submission</b>	3	<b>Attorney Docket Number</b>	LEX-0121-USA

ENCLOSURES (check all that apply)		
<input type="checkbox"/> Fee Transmittal Form  <input type="checkbox"/> Fee Attached	<input type="checkbox"/> Assignment Papers (for an Application)  <input type="checkbox"/> Drawing(s)  <input type="checkbox"/> Licensing-related Papers  <input type="checkbox"/> Petition  <input type="checkbox"/> Petition to Convert to a Provisional Application  <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address  <input type="checkbox"/> Terminal Disclaimer  <input type="checkbox"/> Request for Refund  <input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> After Allowance Communication to Group  <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences  <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)  <input type="checkbox"/> Proprietary Information  <input type="checkbox"/> Status Letter  <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): return postcard Sequence Listing on Diskette; and Verified Statement Concerning Sequence Listing
<input type="checkbox"/> Amendment / Reply  <input type="checkbox"/> After Final  <input type="checkbox"/> Affidavits/declaration(s)  <input type="checkbox"/> Extension of Time Request  <input type="checkbox"/> Express Abandonment Request  <input type="checkbox"/> Information Disclosure Statement  <input type="checkbox"/> Certified Copy of Priority Document(s)  <input checked="" type="checkbox"/> Response to Notice of Non-Compliance  <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<b>Remarks</b>  <b>Customer # 24231</b>	

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Firm or Individual name	Lance K. Ishimoto Reg. No. 41,866 Lexicon Genetics Incorporated
Signature	
Date	March 4, 2004

CERTIFICATE OF MAILING			
I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313 on this date: <span style="border: 1px solid black; padding: 2px;">March 4, 2004</span>			
Typed or printed name	Nancy Stacey		
Signature		Date	March 4, 2004

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): Turner *et al.* Group Art Unit: 1647  
Application No.: 09/771,961 Examiner: F. M. Hamud  
Filed: 01/29/01  
Title: Novel Human Membrane Proteins and Polynucleotides Encoding the Same Atty. Docket No. LEX-0121-USA

**RESPONSE TO NOTICE OF NON-COMPLIANCE**

Commissioner for Patents  
Alexandria, VA 22313

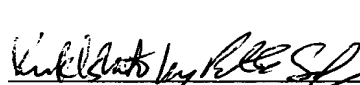
Sir:

The Examiner is respectfully requested to accept the following response to the Notice of Non-Compliance with 37 CFR 1.192(c) mailed February 4, 2004 ("the Notice"). The Notice indicates that allegedly the computer readable form (CRF) of the sequence listing submitted on 16 April 2002, does not match the sequence listing filed with the instant application. Applicants have been unable to confirm this inconsistency, as their paper and electronic copies contain sequences of the same length. However, in order to place this case in compliance, Applicants submit a new CRF sequence listing. Pursuant to a telephone conversation with Supervisory Patent Examiner Gary L Kunz, Applicants have not included additional triplicate copies of the Appeal Brief, as to avoid unnecessary duplication and as the Notice appears to take issue with the CRF sequence listing alone.

Applicants believe this response to be timely filed and that no fee is due in connection with this response. However, should this be incorrect, the Commissioner is authorized to charge any underpayment or credit any overpayment to Deposit Account No. 50-0892.

Respectfully submitted,

March 4, 2004  
Date

  
Lance K. Ishimoto  
Reg. No. 41,866

LEXICON GENETICS INCORPORATED  
(281) 863-3333

**Customer # 24231**



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): Turner, Jr. *et al.*

Application No.: 09/771,961

Filed: January 29, 2001

Group Art Unit 1647

Title: Novel Human Membrane Proteins and  
Polynucleotides Encoding the Same

Examiner: F. M. Hamud

Attorney Docket No.: LEX-0121-USA

**VERIFIED STATEMENT UNDER 37 C.F.R. § 1.821(f)**

Commissioner for Patents  
Alexandria, VA 22313

Sir:

I, Drenda D. Thomas, do declare and state as follows:

1. I prepared a Sequence Listing in paper and computer readable form under 37 C.F.R. § 1.821 - 1.825 in connection with the above-captioned patent application.

2. I hereby state that the contents of the paper and computer readable copies of the Sequence Listing are the same and that the replacement computer readable form being submitted herewith does not include new matter.

March 4, 2004  
Date

Drenda Thomas  
Drenda D. Thomas

**Customer # 24231**